

From: Phillips, Frederick (ENRD)
To: [Lukas O'Dowd](#)
Cc: [Yackulic, Ted](#); [Leefers, Kristin](#); [Moreen, Ed](#)
Subject: revision to ASA
Date: Thursday, April 26, 2018 1:45:35 PM

Luke – this, or VERY close to this, is how paragraph 33 will be revised. Hope to have document out to sign by Monday.

Thanks,

FSP

BHMC shall obtain an NPDES permit for its discharge of AMD and any other Mine-related discharges within five years of the Effective Date. Until such time, BHMC shall continue to convey AMD and all Mine-related discharges to the CTP for treatment. By the end of the five- year period, BHMC shall treat all AMD and Mine-related discharges pursuant to an EPA approved treatment option and in compliance with Section 402 of the Clean Water Act, 33 U.S.C. § 1342.

Treatment options may include:

- a. entering a lease agreement with EPA providing for BHMC to lease and operate the CTP;
- b. purchasing and operating the CTP; or
- c. constructing and operating a treatment plant.